

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
NEWARK DIVISION**

IN RE: PROTON-PUMP INHIBITOR PRODUCTS LIABILITY LITIGATION (NO. II) This Document Relates to: <i>Lyone Overlin and Rebecca Overlin, h/w, 2:18-cv-03695-CCC-MF</i>	MDL No. 2789 Case No.: 2:17-md-2789 (CCC)(MF) SHORT-FORM ANSWER, DEFENSES AND JURY DEMAND OF ASTRAZENECA PHARMACEUTICALS LP, ASTRAZENECA LP, AND MERCK SHARP & DOHME CORPORATION
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Defendants AstraZeneca Pharmaceuticals LP, AstraZeneca LP, and Merck Sharp & Dohme Corporation, incorrectly named as Merck & Co., Inc. d/b/a Merck Sharp & Dohme Corporation (herein collectively referred to as “Defendants”), through undersigned counsel, hereby appear in the above-referenced action and file this Short-Form Answer to Plaintiffs’ Amended Short Form Complaint and Jury Demand, pursuant to Case Management Order No. 7, *In re: Proton-Pump Inhibitor Products Liability Litigation (No. II)*, ECF Dkt. No. 112 (1/17/18), allowing the filing by Defendants of a Short-Form Answer in response to all complaints filed in or transferred to the above-captioned MDL.

Defendants incorporate by reference their responses and all applicable defenses set forth in their respective Master Answer and Defenses to Plaintiffs’ Master Complaint, *In re: Proton-Pump Inhibitor Products Liability Litigation (No. II)*, ECF Dkt. No. 155 (3/19/18) and ECF Dkt. No. 193 (4/18/18), including any amendments and supplements thereto. To the extent any additional response is required, Defendants are without knowledge or information sufficient to form a belief as to the allegations set forth in Plaintiffs’ Amended Short Form Complaint regarding Plaintiffs or Plaintiff’s alleged ingestion, and therefore those allegations are denied. Defendants deny each and every remaining allegation set forth in Plaintiffs’ Amended Short Form Complaint and further deny that Plaintiffs have been damaged to any extent or amount by any act or omission of Defendants or are entitled to any damages or other relief from Defendants.

This Short-Form Answer is not intended to and shall not waive any applicable defenses available to Defendants, and Defendants hereby reserve the right to respond to Plaintiffs' individual complaint by way of any motions permissible under the Federal Rules of Civil Procedure. Moreover, Defendants reserve the right to file any necessary counterclaims, crossclaims and/or third-party complaints, pursuant to Rules 13 and 14 of the Federal Rules of Civil Procedure, or otherwise amend this pleading, in connection with Plaintiffs' action, if appropriate.

Defendants request a trial by jury on all issues so triable.

WHEREFORE, Defendants AstraZeneca Pharmaceuticals LP, AstraZeneca LP, and Merck Sharp & Dohme Corporation, incorrectly named as Merck & Co., Inc. d/b/a Merck Sharp & Dohme Corporation, pray for judgment in their favor, for the costs of this action and for all other just and proper relief.

Dated: November 15, 2018

Respectfully Submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was filed electronically. Service of this filing will be made on all ECF-registered counsel by operation of the Court's electronic filing system.

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Dated: November 15, 2018